## PLAN COMMISSION MINUTES

The City Plan Commission held a regular Zoning Hearing on November 20, 2008, with the briefing starting at 11:05 a.m. in Room 5ES and the public hearing at 1:30 p.m. in the City Council Chambers of City Hall. Presiding were Joe Alcantar, Chair and Chris Buehler, Vice Chair. The following Commissioners were present during the hearing: James Prothro, Clarence Gary, Michael Davis, Emma Rodgers, John Lozano, Ann Bagley, Myrtl Lavallaisaa, Bob Weiss, Tom Lueder, Sally Wolfish, Robert Ekblad and Neil Emmons. The following Commissioners were absent from this hearing as defined in the City Plan Commission rules: None. There is one vacancy District 2.

The City Plan Commission was briefed by staff on each item on the agenda and a question and answer period followed each briefing.

A variety of dockets, requests and briefings were presented to the Commission during the open public hearing. The applicants or their representatives presented their arguments, citizen comments were heard, and using the information and staff recommendations in the hearing dockets, the Commission took the following actions.

NOTE: For more detailed information on discussion on any issue heard during this briefing and public hearing, refer to the tape recording retained on file in the Department of Development Services.

#### PUBLIC HEARINGS:

#### Subdivision Docket

Planner: Paul Nelson

Pursuant to Texas Local Government Code Section 212.009(e) these minutes and recording of the hearing certify the reasons for denial of any plat application.

Consent Agenda - Preliminary Plat

#### (1) **S089-012**

**Motion to remove building line:** It was moved to **approve** an application to remove the building line of Lots 3, 4, 5; all of Lots 6 thru 10 in City Block C/7100 of the Tipton Annex No. 2 Addition; remainder of Lots 1 and 2 in City Block A/7097 of Brantley's Junior Addition and Lots 3 thru 8 in City Block A/7097 of Brantley's Junior Addition into a 49,597 sq. ft. lot and a 26,449 sq. ft. lot located at the intersection of Canada Drive and Topeka Avenue, southwest corner, subject to compliance with the conditions listed in the docket.

Maker: Lozano Second: Rodgers Result: Carried: 14 to 0 For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against:	0
Absent:	0
Vacancy:	1 - District 2

**Motion:** It was moved to **approve** an application to replat portions of Lots 3, 4, 5; all of Lots 6 thru 10 in City Block C/7100 of the Tipton Annex No. 2 Addition; remainder of Lots 1 and 2 in City Block A/7097 of Brantley's Junior Addition and Lots 3 thru 8 in City Block A/7097 of Brantley's Junior Addition into a 49,597 sq. ft. lot and a 26,449 sq. ft. lot located at the intersection of Canada Drive and Topeka Avenue, southwest corner, subject to compliance with the conditions listed in the docket

Maker:	Lozano
Second:	Rodgers
Result:	Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against:	0
Absent:	0
Vacancy:	1 - District 2

Speakers: None

#### (2) **S089-013**

**Motion:** It was moved to **approve** an application to replat Lot 11 in City Block 28/7614 of Alta Mesa Park Estates, 2<sup>nd</sup> Installment into a 9,933 sq. ft. lot and a 7,843 sq. ft. lot located at the intersection of El Centro Way and Midway Plaza, southwest corner, subject to compliance with the conditions listed in the docket

Maker: Second: Result:	Buehler	-
	For:	<ul> <li>14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar</li> </ul>
Abs	ainst: sent: cancy:	0 0 1 - District 2

Speakers: None

Miscellaneous Docket

### D089-003

## Planner: Frank Dominguez

**Motion:** It was moved to **approve** a development plan and landscape plan for Planned Development District No. 730 on the southwest corner of Macon Street and Baxar Street.

Maker:	Emmons
Second:	Wolfish
Result:	Carried: 14 to 0

- For: 14 Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar
- Against: 0 Absent: 0 Vacancy: 1 - District 2

Speakers: None

## Z078-239(RB)

## Planner: Richard Brown

**Motion:** It was moved to **approve** the development plan and conditions submitted in conjunction with an application for a Planned Development Subdistrict for an Animal clinic with outside run, Kennel with outside run, and LC Light Commercial Subdistrict Uses on property zoned an LC Light Commercial Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose, on the northwest corner of McKinney Avenue and Sneed Street.

Maker: Emmons Second: Wolfish Result: Carried: 14 to 0

> For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against:	0
Absent:	0
Vacancy:	1 - District 2

Speakers: None

#### 1. Z078-300(MAW)

Planner: Megan Wimer

**Motion:** It was moved to recommend **approval** of an application for a Specific Use Permit for a mini-warehouse use for a ten-year period with eligibility for automatic renewal for additional ten-year periods, subject to a site plan and conditions on property zoned a MU-2 Mixed Use District on the north side of Gannon Lane, west of Westmoreland Road.

Ś	Maker: Second: Result:			
		For:	13 - Prothro, Gary, Rodgers, Lozano, Bagley Lavallaisaa, Weiss, Lueder, Buehler, Wolfish Ekblad, Emmons, Alcantar	• •
Against: Absent: Vacancy:			1 - Davis 0 1 - District 2	
Notices Replies:		300 0	Mailed: 9 Against: 0	

Speakers: For: Joe Bowers, 1421 Winding Brook Cr., Dallas, TX, 75208 Against: None

#### 2. Z078-301(MAW)

Planner: Megan Wimer

**Motion:** In considering an application to create a new subarea for GR-D-1 General Retail District uses with a D-1 Liquor Control Overlay within Planned Development District No. 134 and a Specific Use Permit for the sale and service of alcoholic beverages in conjunction with a restaurant on property within Subarea B for GR-D General Retail District uses with a D Liquor Control Overlay within Planned Development District No. 134 on the southwest corner of Beacon Street and Lindsley Avenue, it was moved to **hold** this case under advisement until December 18, 2008.

Maker:	Emmons
Second:	Weiss
Result:	Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

	Against: Absent: Vacancy:		0 0 1 - District 2	
Notices:		500	Mailed:	124
Replies:		3	Against:	13

Speakers: None

#### 3. Z089-110(MAW)

Planner: Megan Wimer

Motion: It was moved to recommend approval of a Specific Use Permit for an alcoholic beverage establishment use for a private club for a two-year time period with automatic renewals for additional five-year periods, subject to a site plan and conditions on property zoned an MU-1 Mixed Use District on the west side of Marvin D. Love Freeway, south of Camp Wisdom Road.

	Second:	Lavallaisaa Rodgers Carried: 11 to 3			
		For:	<ul><li>11 - Gary, Davis, Rodgers, Lozano, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Emmons, Alcantar</li></ul>		
Against:3 - Prothro, EAbsent:0Vacancy:1 - District 2			•		
Notices Replies	s: Area: s: For:	300 0	Mailed: 10 Against: 2		

Speakers: None

## 4. Z078-308(RB)

Planner: Richard Brown

Motion: It was moved to recommend approval of an amendment to the conditions, subject to a detached premise sign plan, detached premise sign landscape plan, and revised conditions for Planned Development District No. 268 for SC Shopping Center District Uses in the northeast guadrant of Preston Road and Frankford Road.

> Maker: Wolfish Second: Weiss Result: Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against:	0
Absent:	0
Vacancy:	1 - District 2

Notices:	Area:	500	Mailed:	272
<b>Replies:</b>	For:	8	Against:	3

Speakers: None

#### 5. **Z089-101(JH)**

Planner: Jennifer Hiromoto

**Motion:** It was moved to recommend **approval** a CR Community Retail District on property zoned an IR Industrial Research District on the southeast corner of Hampton Road and Singleton Boulevard.

Maker: Second: Result:	Weiss	: 14 to 0
	For:	<ul> <li>14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar</li> </ul>
Abs	ainst: sent: cancy:	0 0 1 - District 2
 s: Area: s: For:	200 0	Mailed: 12 Against: 1

Speakers: None

## 6. **Z078-302(OTH)**

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **approval** a Specific Use Permit for a private school or open-enrollment charter school for a five-year time period with eligibility for automatic renewals for additional ten-year periods, subject to a site plan and conditions on property zoned an R-7.5(A) Single Family District with Specific Use Permit No. 278 for a convent in an area generally bounded by Bombay Avenue, Cortland Avenue and Anson Road.

Maker:	Wolfish
Second:	Weiss

Result: Carried: 14 to 0 For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar Against: 0 Absent: 0 Vacancy: 1 - District 2 Notices: Area: 300 Mailed: 79 Replies: For: Against: 2 4

Speakers: None

## 7. **Z078-305(OTH)**

Planner: Olga Torres Holyoak

**Motion:** It was moved to recommend **approval** an amendment to Planned Development District No. 747, subject to revised conditions in an area generally bounded by Grand Avenue, Lamar Street, Sanger Avenue, Holmes Street, Ervay Street and GCSF Railroad right-of-way.

Maker: Bagley Second: Wolfish Result: Carried: 14 to 0

> For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against:	0
Absent:	0
Vacancy:	1 - District 2

Notices:	Area:	500	Mailed:	132
<b>Replies:</b>	For:	3	Against:	3

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202 Against: None Staff: Phil Erwin, Chief Arborist, Dallas Development Services Zoning Cases – Under Advisement

## 8. Z078-216(OTH)

Planner: Olga Torres Holyoak

**Motion:** In considering an application for a Specific Use Permit for a bank or savings and loan with drive-through window service on property zoned a GR General Retail Subdistrict within Planned Development District No. 193, the Oak Lawn Special Purpose District, on the north corner of Oak Lawn Avenue and Brown Street, it was moved to **hold** this case under advisement until December 4, 2008.

Maker: Emmons Second: Weiss Result: Carried: 14 to 0

> For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against:	0
Absent:	0
Vacancy:	1 - District 2

Notices:	Area:	200	Mailed:	71
Replies:	For:	10	Against:	0

Speakers: None

## 9. Z078-303(OTH)

Planner: Olga Torres Holyoak

**Motion:** In considering an application for a Specific Use Permit for an animal shelter or clinic with outside run on property zoned an IR Industrial Research District on the north corner of Cedar Springs Road, and Timber Lane, northwest of Inwood Boulevard, it was moved to **hold** this case under advisement until December 18, 2008.

Second:	Emmons Weiss Carried: 14 to 0				
	For:	<ul> <li>14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar</li> </ul>			
Against: Absent: Vacancy:		0 0 1 - District 2			

Notices:	Area:	200	Mailed:	6
<b>Replies:</b>	For:	2	Against:	0

Speakers: None

Zoning Cases – Individual

#### 10. Z078-286(RB)

Planner: Richard Brown

**Motion:** It was moved to recommend **approval** of an amendment to Specific Use Permit No. 1629 for a Private school, subject to a site plan and staff's revised conditions on property zoned a CS Commercial Service District, on the east line of Davenport Road, north of Crestland Avenue.

Maker: Wolfish Second: Lozano Result: Carried: 14 to 0

> For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against:	0
Absent:	0
Vacancy:	1 - District 2

Notices:	Area:	200	Mailed:	15
Replies:	For:	6	Against:	5

Speakers: For: Santos Martinez, 900 Jackson St., Dallas, TX, 75202 Against: None

#### 11. Z089-103(WE)

Planner: Warren Ellis

**Motion:** It was moved to recommend **denial** of a Specific Use Permit for a motel or hotel use on property zoned a CC Community Commercial Subdistrict of Planned Development District No. 595, the South Dallas Fair Park Special Purpose District on the south corner of Peabody Avenue and Colonial Avenue.

Maker: Bagley Second: Rodgers Result: Carried: 12 to 0

> For: 12 - Prothro, Gary, Davis, Rodgers, Bagley, Lavallaisaa, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

### Landmark Commission Appeal

**Motion:** It was moved to **affirm** the Landmark Commission decision to deny a Certificate of Appropriateness CA078-612(MD) at 2019 N. Lamar Street to attach rooftop signs on the north and east elevations.

Maker: Second: Result:	Weiss	
	For:	<ul> <li>14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar</li> </ul>
Abs	ainst: sent: cancy:	0 0 1 - District 2 10

# Other Matters

#### <u>Minutes</u>

**Motion:** It was moved to **approve** the minutes of the November 13, 2008, City Plan Commission meetings, subject to corrections.

Maker:	Weiss
Second:	Wolfish
Result:	Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar
Against: 0
Absent: 0
Vacancy: 1 - District 2

### <u>Adjournment</u>

**Motion:** It was moved to **adjourn** the November 20, 2008, City Plan Commission meeting at 3:16 p.m.

Maker:	Lueder
Second:	Bagley
Result:	Carried: 14 to 0

For: 14 - Prothro, Gary, Davis, Rodgers, Lozano, Bagley, Lavallaisaa, Weiss, Lueder, Buehler, Wolfish, Ekblad, Emmons, Alcantar

Against:	0
Absent:	0
Vacancy:	1 - District 2

Joe Alcantar, Chair